



**Peak District MTB**

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7<sup>th</sup> July 2018

Peter J White  
Rights of Way Officer  
Derbyshire County Council  
County Hall  
Matlock  
Derbyshire DE4 3AG  
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**R.e. Response to spinr 2018 consultation on work to the surface and drainage of Chapel-en-le-Frith byway (aka Rushup Edge / Chapel-en-le-Frith BOAT 144)**

Dear Mr White,

Peak District MTB is a volunteer advocacy group which aims to preserve, protect and promote mountain biking in the Peak District and it's surrounding area. We have over 4000 supporters and work with landowners, authorities and other user groups to advocate for riders of all backgrounds and levels.

Summary

- We agree that work is required on the top section which is boggy.
- We do not agree that work is required on the descent section.
- The scale and methods of work proposed on the descent section are inappropriate.
- We believe a more cost-effective, sustainable and acceptable outcome could be achieved by using specialist contractors using minimal repairs to sections where a justifiable reason is given for the work and solution the appropriate to that reason.
- We believe that the quarried rock placed in 2014 must be removed.
- We believe the £152 000 this will cost taxpayers could be better spent on this route and on other rights of way to improve accessibility and enjoyment.

## Background

Chapel Gate (Chapel-en-le-Frith Byway Open to All Traffic No 144, often referred to as Rushup Edge) is a very valuable route for mountain bikers. A monitoring exercise conducted by the Peak District National Park in 2012 indicated that cyclists are the most common users of the route. It forms part of many of the most popular cycling routes in the UK. It is particularly popular because when it is wet, mountain bikers are keen to ride surfaces that are sustainable and the hardwearing bedrock on this route makes it an attractive route in the winter. We encourage riders to use this route as it is a durable route in wet conditions. Many riders have contacted us to highlight how valuable this route is to them.

We initially objected to the work conducted on Chapel Gate because we felt it was unnecessary and, due to the high moorland nature of the right of way, the repairs out of keeping with the local environment and would be unlikely to produce a sustainable and safe surface given the routes' exposure to the elements.

After pressure from us and a wide range of user groups, we welcomed Derbyshire County Council Highways department taking a step back and consider how better to address the problems they saw with the route. This has also given us to consult widely with our own members and other users including those with disabilities who also enjoy the Peak District National Park. This has included civil engineers with responsibility for cycle paths, world heritage sites and sites of special scientific interest.

We have reviewed the latest proposals and wish to make the following statements.

### **The top section of the route**

This section is shown in the bottom diagram in “Public consultation sheet 2”, from cutline C to the “extent of the works”.

#### **We support work to complete the top, flat section of the route.**

- This should be completed without any delay and the route re-opened.
- If vehicle access is required to carry out the repairs it be gained from the Edale side. This should be possible given Derbyshire Council’s previous repair works to this route. This will avoid any further damage to the other end of the byway.
- We approached the council for more detail about the “geotextile” to be used to fill in this section. We have yet to be convinced that what is proposed is environmentally sound.
- There is no environmental assessment for these works. We would expect one to be produced given the sensitivity of the area.

### **The descent section of the route**

This section is from cutline C to the “extent of the works” at Sheffield Road.

#### **We do not support the proposed work to any of this section.**

- **We do not believe there is justification for the work proposed.** We do not believe that this route is any more of a hazard than any other similar right of way in the area. This is a remote, exposed area meaning users expect to find an element of challenge in the route, and this is not out of keeping with the character of the adjoining rights of way in this area.
- **We believe the money could be spent on other routes which are hazardous.**
- **The work will completely change the character of this route.** It is a high moorland, exposed track where all routes using this right of way will be natural and challenging to users. This is the appeal of these routes. This appeal should be preserved as a key part of the National Park.
- **Repairs will require more, not less maintenance at significant cost.** There seems no justification for increasing maintenance burden on this route when the council are already struggling to maintain other rights of way in the county.
- **Derbyshire County Council have failed to convince us that work on this route will significantly improve the experiences of those with disabilities,** particularly where there are other rights of way in Derbyshire which require urgent attention in order to remove barriers to access.

## **We do not support the proposed methods employed.**

- **We object to the scale of the works.** If sections require changing (for example to reduce the gradient) then this can be addressed with short sections of stone pitching, as used on Roych Clough.
- **There is no justification for not keeping all the current bedrock currently exposed.** The bedrock is secure and causing no hazard. It will be sustainable and require no maintenance. Solutions used on the Roych Clough by Terra Firma would be an acceptable compromise, to reduce any areas of large steps (although there are perhaps only approximately three or four steps in the whole route that may pose a barrier to users).
- **We object to Treatment 1** (natural stone slab in centre with concrete bed with type 1 sub-base). Without a finish of the type 1 sub-base it will wash away and expose the central slabs with peripheral ruts which will be highly hazardous. It will also block drains leading to further damage.
- **We object to Treatment 2.** Whenever there is a water permeable layer, water will penetrate it, the small particles will move and the surface will become unstable and any concrete will be exposed and become hazardous.
- **We object to the use of concrete as it represents a hazard.** Concrete is not a natural material. It will absorb water and disintegrate. This will make any large stones unstable and create large ruts which are unsafe.
- **We object to the use of type 1 sub-base.** We have been advised that this is highly unsuitable for this work as it is designed to be laid under highways, and hazardous when exposed due to its highly angular nature which can damage bicycle tires and hooves and is unstable to walk or wheel on.
- **Water bars** are highly hazardous to cyclists: these must be redesigned.
- **There is insufficient commitment to ongoing maintenance.** We have repeatedly pointed out that poor maintenance is a main cause of routes becoming hazardous. As seen on the Edale side, work with inappropriate methods will make the route more hazardous and there must be plans to address this. Adding to maintenance costs will only add to the burden on the council.
- **Plans for drainage are poor.** There is not information about whether the soak-away actually has the capacity to absorb the quantity of run-off anticipated from the route. No design details have been provided for the size, depth, design (e.g., open hole or infilled with granular material?), run-off rates, absorption capacity, management of particules within the run off (given the extensive use of unbound granular material on a slope subject to significant rainfall). There is no point in designing/constructing an extensive drainage network if the soakaway either hasn't the capacity (leading to localised flooding) or becomes ineffective/blocked (leading to flooding and debris on the Sheffield Road).
- **There is no clear commitment within the consultation to the removal of the previously installed, inappropriate type/source of material** that has led to the closure of this route for over three years.

### **We do not support the expenditure of £152 000 on this route.**

- We share the concerns of many users and taxpayers that this money could be better spent elsewhere. Our suggestions to improve the work would be far more cost effective.

### **We believe the plans could be improved.**

- No or very minimal work on the descent section should be conducted.
- The previously installed, inappropriate and unsightly material should be removed.
- If any of the descent section has any work it should be piecemeal, addressing only the key areas that may pose a barrier to access and adopt hand pitching such as that seen on Roych Clough.
- No concrete should be used.
- A properly qualified and experienced contractor should be used. We reiterate our position that Terra Firma have the most expertise in this area and have worked on many successful projects including the Roych Clough (Pennine Bridleway) and with Moors for the Future on Whinstone Lee Tor. We have been in contact with Terra Firma and would be happy to work with them and would also be happy to offer volunteers to reduce the costs.
- There needs to be a documented and costed commitment to maintenance of the route including clearing of the drains and repairing any damaged areas.
- Of the materials proposed, sources of said material needs to be clearly identified to ensure that suitable materials are to be used, that are in keeping with the setting, context and heritage nature of the route within the Peak District National Park.
- Any waterbars must contain a slab over which a bicycle could safely ride.
- Consultation with local users with disabilities who are familiar with the area should occur to ensure that your objectives to improve accessibility will be fulfilled and ensure that the money is best spent here rather than elsewhere where it is sorely needed.

### **Further comments**

We are again disappointed with this consultation after having endured the closure of such a popular route for so long. We spent a great deal of time consulting members and meeting members of the council and DCC on a site visit. We made various recommendations including the placement of slabs to allow riders to avoid hazardous water bars and the need for maintenance.

We also wished to know the cost and the justification for these costs. This is of upmost importance to members and tax payers given the financial pressures on councils, the impact on vital services such as those relied on by children and vulnerable adults and the urgent need to address other rights of way in the area which are not being met due to budget constraints.

In addition, this consultation is not accessible to our members. It fails to justify the reason, scope, extent and methods, detail the actual material used and fails to contain photographs or other ways which would help the public have a meaningful understanding of the proposal. It has fallen to Peak District MTB to try to answer these questions. We have repeatedly made requests for such information and have been ignored. You state that *“we intend to carry out improvements to sections of the first kilometre of Chapel Gate to enhance safety and encourage other users to enjoy access to the countryside”*, however you do not identify who these “other users” are, as surely those with a right to use this route should be considered. It has again been Peak District MTB who have reached out to other user groups to ensure that they are informed.

Finally, no mention is made of whether there is any intention of lifting/retaining the TRO in the short or long term. No mention is made of the advice from authorities such as Natural England and the planning department. Transparency in this process has always been lacking and we feel Derbyshire Council have yet again failed in its duty to adequately communicate with the public.

### **In summary**

We support work to the flat section at the top as long as it is sensitive to the environment. We would expect an environmental assessment to be carried out and commitment to maintenance made.

We see no justification for the work on the descent section. The money could be better spent elsewhere. The methods proposed are entirely inappropriate, a waste of resources and are likely to increase the risk to users and reduce their enjoyment. If any work at all is conducted on this section, first the 2014 rock must be removed, any work must be in small sections, to address only areas that have justifiable and documented safety issues and should be carried out with methods more appropriate for the nature of the route.

Yours truly,

Dr Esther Hobson  
On behalf of Peak District MTB

CC. Trevor Ainsworth (DCC), Simon Spencer (DCC), Councillor Mike Evanson (DCC), Councillor Barry George (DCC), Geoff Pickford (DCC), Councillor Tony Favell (Edale Parish Council), Sarah Fowler (PDNPA), Anne Robinson (Friends of the Peak), Paul Richardson (Local Access Forum), Kie Foster (Cycling UK, Open MTB), Henry Norman (Ride Sheffield), Henry Foulkard (BMC), Charlotte Gilbert (Peak Horsepower), Craig Grimes (Experience Community), Gillian Scoforth (Accessible Derbyshire), Mike Rhodes (PDNPA), Editor, Singletrackworld,

**Peak District MTB** is a voluntary organisation that aims to preserve, improve and promote mountain biking within the Peak District National Park.  
[www.peakdistrictmtb.org](http://www.peakdistrictmtb.org)